

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENT ON BEHALF OF STUDENT,

v.

NORWALK-LA MIRADA UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026050670

ORDER GRANTING SECOND REQUEST FOR
CONTINUANCE

JULY 21, 2026

On July 21, 2026, the parties filed a joint request to continue the due process hearing with the Office of Administrative Hearings, OAH.

The parties contend the hearing should be continued because a family matter has arisen which requires Student's counsel to travel for two weeks prior to the hearing date and prevents counsel from adequately preparing for prehearing conference and due process hearing as currently scheduled. The specific dates for counsel's unavailability arose after the first continuance of this matter. Although the event described in counsel's declaration does not constitute good cause per se, opposing counsel has joined in the request to continue, and the requested continuance is for a short period.

OAH must conduct a due process hearing and issue a decision within 45 days of receiving the due process complaint, unless an extension is granted. (34 C.F.R. § 300.515(a); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3).) Resolving the due process hearing quickly is legally required. Hearings may only be continued if "good cause" is established. (Ed. Code, § 56505, subd. (f)(3).) OAH is guided by the Administrative Procedure Act and the California Rules of Court when ruling on continuance motions. (Cal. Code Regs., tit. 1, § 1020; Cal. Rules of Court, rule 3.1332.)

Generally, continuances are disfavored. (Cal. Rules of Court, rule 3.1332(c).)

However, good cause to continue a hearing may include:

- A party is unavailable because of death, illness, or other excusable circumstances;

There is no mandatory reason to prevent Student's counsel from attending his family event, and his unavailability constitutes an excusable circumstance. Therefore, the parties established good cause to continue the due process hearing.

The request is granted. All previously scheduled dates are vacated

PREHEARING CONFERENCE will be held on September 25, 2026, at 10:00 AM. Prehearing Conferences are only heard on Mondays and Fridays.

DUE PROCESS HEARING will be held on September 29, through October 1, 2026.

The prehearing conference and due process hearing will be held by videoconference or telephone, unless otherwise ordered. The due process hearing will begin at 9:30 AM on all days, and generally end at 3:30 PM, unless otherwise ordered. The hearing will continue day to day, as needed, Mondays and Fridays included, at the

discretion of the Administrative Law Judge. Prehearing conference statements and motions are due to OAH no later than three business days before the prehearing conference. Late motions will only be considered if good cause is established for the late filing.

The parties must immediately give potential witnesses the hearing dates, and must subpoena witnesses, if necessary, so they are available to testify. Failing to properly notify or subpoena a witness is not good cause to delay the hearing.

IT IS SO ORDERED.

Judith Pasewark

Judith Pasewark

Administrative Law Judge

Office of Administrative Hearings